

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 14-57577

APRIL L. MONTGOMERY, *pro se*,

Chapter 7

Debtor.

Judge Thomas J. Tucker

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**ORDER DISMISSING CASE**

On November 12, 2014, Debtor filed a voluntary petition for relief under Chapter 7, commencing this case, and a "Certificate of Counseling" (Docket # 5), which states that on ***December 13, 2013***, Debtor received "an individual [or group] briefing that complied with the provisions of 11 U.S.C. §§ 109(h) and 111."

Debtor is not eligible to be a debtor in this case under 11 U.S.C. § 109(h)(1). That provision provides in relevant part, that

an individual may not be a debtor under this title unless such individual has, during the 180-day period ending on the date of filing the petition by such individual, received from an approved nonprofit budget and credit counseling agency described in section 111(a) an individual or group briefing (including a briefing conducted by telephone or on the Internet) that outlined the opportunities for available credit counseling and assisted such individual in performing a related budget analysis.

Debtor did not receive the required credit counseling briefing *during the 180-day period ending on the date of the filing of her petition*. Rather, Debtor received the credit counseling briefing 316 days before her petition was filed. Accordingly,

IT IS ORDERED that this case is dismissed.

Signed on November 13, 2014

/s/ Thomas J. Tucker

**Thomas J. Tucker**  
**United States Bankruptcy Judge**